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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,863

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Jeff Braun

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EXAMINER

CHOI, MICHAEL P

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

05/13/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/807,863	<b>Applicant(s)</b> BRAUN, JEFF	
	<b>Examiner</b> Michael Choi	<b>Art Unit</b> 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 2/11/08 have been fully considered but they are not persuasive.

As per remarks on page 6, applicant argues that Demas does not discuss positions of display screens at all, nor does Love give a determination of a display device's position or location "in space" where Yap only uses a single display device and Piper is not concerned with a position of a display in space.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., display screen or a 'determination of a display devices position') are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Also, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore, Demas teaches a first position corresponding to a first location in space of the first display device and associated first display device identification as demonstrated in Figs. 4, 196; 8, 822 – having a primary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed; and teaches a second position corresponding to a second location in space of the second display device and associated second display device identification as clearly demonstrated in Figs. 4, 198; 8, 824 - having a secondary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed and finally means to determine positions in space of the first and second display devices as demonstrated in Figs. 4, 196, 198; 8, 822, 824 – having a primary video feed that is supplied to correlating television thereby confirming and determining position in space of device through associated signal being displayed.

Art Unit: 2621

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 7-10, 15 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Demas et al. (US 2004/0073930 A1).

**Regarding Claim 1**, Demas et al. teaches a method for displaying first and second video stream information from a video player, the method comprising

- detecting the first video stream and associated first stream identification (Figs. 4, 196; 8, 822; 9, 856);
- detecting the second video stream and associated second stream identification (Figs. 4, 198; 8, 824; 9, 858);
- detecting a first display device, a first position corresponding to a first location in space of the first display device and associated first display device identification (Figs. 4, 196; 8, 822 – having a primary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed);
- detecting a second display device, a second position corresponding to a second location in space of the second display device and associated second display device identification (Figs. 4, 198; 8, 824 - having a secondary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed); and
- directing the video streams to the display devices by using the identifications and positions (Fig. 4, 170; Paragraph [0060] – directing to separate televisions having displayed signal thereby confirming positions in space of devices by delivery of signal to output display).

**Regarding Claim 5**, Demas et al. teaches the method of claim 1, wherein a display device includes a display screen (in at least Figs. 4, 196; 8, 822).

**Regarding Claim 7**, Demas et al. teaches the method of claim 1, wherein a video stream is obtained from a broadcast (Paragraph [0008]).

**Regarding Claim 8**, Demas et al. teaches the method of claim 7, wherein the broadcast includes information from a satellite transmission (in at least Paragraph [0059-0061]).

**Regarding Claim 9**, Demas et al. teaches the method of claim 7, wherein the broadcast includes information from a cable transmission (Paragraph [0008]).

**Regarding Claim 10**, Demas et al. teaches the method of claim 7, wherein the broadcast includes information from a radio-frequency transmission (Paragraph [0008]).

**Regarding Claim 15**, Demas et al. teaches an apparatus for displaying first and second video stream information from video player, the method comprising

- a first detector for detecting the first video stream and associated first stream identification (in at least Figs. 4, 196; 5, 514; 8, 822; 9, 856);
- a second detector for detecting the second video stream and associated second stream identification (Figs. 4, 198; 5, 514; 8, 824; 9, 858);
- a third detector for detecting a first display device, a first position corresponding to a first location in space of the first display device and associated first display device identification (Figs. 4, 196; 8, 822 – having a primary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed);

Art Unit: 2621

- a fourth detector for detecting a second display device, a second position corresponding to a second location in space of the second display device and associated second display device identification (Figs. 4, 198; 8, 824 - having a secondary video feed that is supplied to first television thereby confirming position in space of device through associated signal being displayed); and
- a director for directing the video streams to the display devices by using the identifications and positions (Fig. 4, 170; Paragraph [0060] – directing to separate televisions having displayed signal thereby confirming positions in space of devices by delivery of signal to output display).

**Regarding Claim 18**, Demas et al. teaches a stream director for directing two or more image streams from a single image stream source to two or more display devices, the method comprising

- a first input for a first video stream and associated first stream identification (in at least Figs. 4, 196; 5, 514; 8, 822; 9, 856);
- a second input for a second video stream and associated second stream identification (Figs. 4, 198; 5, 514; 8, 824; 9, 858);
- a first output for a first display device and associated first display device identification (Figs. 4, 196; 8, 822);
- a second output for a second display device and associated second display device identification (Figs. 4, 198; 8, 824);
- means to determine positions in space of the first and second display devices (Figs. 4, 196, 198; 8, 822, 824 – having a primary video feed that is supplied to correlating television thereby confirming and determining position in space of device through associated signal being displayed); and
- means for directing the video streams to the display devices by using the identifications (Fig. 4, 170; Paragraph [0060]).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2004/0073930 A1) in further view of Yap et al. (US 2002/0092021 A1).

**Regarding Claim 2**, Demas et al. teaches the method of claim 1, but fails to explicitly teach wherein the step of directing the video streams includes automatic direction of the streams to the display devices. Yap et al. teaches the step of directing the video streams includes automatic direction of the streams to the display devices (Paragraph [0010]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically direct the streams so as to allow the user to focus and efficiently perform various operation functions post-direction through manipulation of the video signal (Paragraph [0010]).

**Regarding Claim 16**, Demas et al. teaches the apparatus of claim 15, but fails to explicitly teach wherein the director further comprises a signal for automatic direction of the streams to the display devices. Yap et al. teaches the director further comprises a signal for automatic direction of the streams to the display devices Paragraph [0010]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically direct the streams so as to allow the user to focus and efficiently perform various operation functions post-direction through manipulation of the video signal (Paragraph [0010]).

Art Unit: 2621

5. Claims 3, 4 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2004/0073930 A1) in further view of Love et al. (US 2004/0201544 A1).

**Regarding Claim 3,** Demas et al. teaches the method of claim 1, but fails to explicitly teach wherein the step of directing the video streams includes manual direction of the streams to the display devices (Fig 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to manually control the direction of a video stream so as to display a specific feed as appropriated by the user when so desired or selected.

**Regarding Claim 4,** Demas et al. teaches the method of claim 3, but fails to explicitly teach wherein the step of directing the video streams includes substeps of obtaining a signal from a user input device (Fig. 1, 104; 2, 212; 3, 302); and using the obtained signal to direct a video stream to a display device (Fig. 2, 202; 3, 308).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to control the direction of an obtained video stream so as to display a specific feed as appropriated by the user when so desired or selected.

**Regarding Claim 12,** Demas et al. teaches the method of claim 1, wherein auxiliary stream information is associated with a given video stream, but fails to explicitly teach the method further comprising using the auxiliary stream information to identify a preferred position of the given video stream. Love et al. teaches the method further comprising using the auxiliary stream information to identify a preferred position of the given video stream (Fig. 4, 410(1,2...N) – display region processors for processing video data into various positions on screen; Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify a preferred position so as to allow the user to split a screen as intended on a display into various presentations allowing a condensed version of the video streams (Fig. 1, displays 1-4).



**Regarding Claim 13**, Demas et al. teaches the method of claim 12, wherein auxiliary display device information is associated with a given display device, but fails to explicitly teach the method further comprising using the auxiliary display device information to identify a position of the given display device with respect to a viewer's viewpoint. Love et al. teaches teach the method further comprising using the auxiliary display device information to identify a position of the given display device with respect to a viewer's viewpoint (Fig. 4, 410(1,2...N) – display region processors for processing video data into various positions on screen; Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify a preferred position so as to allow the user to split a screen as intended on a display into various presentations allowing a condensed version of the video streams (Fig. 1, displays 1-4).

**Regarding Claim 14**, Demas et al. teaches the method of claim 13, but fails to explicitly teach further comprising determining that the preferred position corresponds with the position of the given display device; and directing the given video stream to be displayed on the given display device. Love et al. teaches further comprising determining that the preferred position corresponds with the position of the given display device; and directing the given video stream to be displayed on the given display device (Fig. 4, 410(1,2...N) – display region processors for processing video data into the positions on screen according to display size; Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to identify a preferred position so as to allow the user to split a screen as intended on a display to fill the screen into various presentations allowing a condensed version of the video streams (Fig. 1, displays 1-4).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2004/0073930 A1).

**Regarding Claim 6**, Demas et al. teaches the method of claim 1, but fails to explicitly teach wherein a video stream is obtained from a DVD (Paragraph [0007]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to obtain a video stream from a DVD having been a readily available component which contains memory capacity capable for detachable transit from one device to another and stated in the prior art section thereby confirming identification as prior art.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2004/0073930 A1) in further view of Yap et al. (US 2001/0033736 A1).

**Regarding Claim 11**, Demas et al. teaches the method of claim 7, but fails to explicitly teach wherein the broadcast includes information from the Internet. Yap et al. teaches wherein the broadcast includes information from the Internet (Paragraphs [0039,0040]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to receive broadcast information through the Internet to be able to access an abundant source of information and a variety of programming and services.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Demas et al. (US 2004/0073930 A1) in further view of Piper et al. (US 6,806,885 B1).

**Regarding Claim 17**, Demas et al. teaches the apparatus of claim 15, the director further comprising a signal input for receiving the signal and for use in directing the streams to the display devices in response to the signal (Fig. 4, 170; Paragraph [0060]) but fails to explicitly teach wherein a

Art Unit: 2621

remote control operated by a human user outputs a signal. Piper et al. teaches wherein a remote control operated by a human user outputs a signal (in at least Abstract, Col. 1, lines 11-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to encompass a remote control operated by a human so as to control multiple displays and allocation with only a single instrument (Col. 1, lines 14,15).

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Choi whose telephone number is (571 )272-9594. The examiner can normally be reached on Monday - Friday 9:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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